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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF  
GOVERNMENT EMPLOYEES, AFL-CIO, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, *et al.*,

Defendants.

Case No.: 3:25-cv-03070-JD

**DECLARATION OF MICHELE  
MALONE**

**DECLARATION OF MICHELE MALONE**

I, Michele Malone, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am employed by the United States Department of Veterans Affairs (“VA”) and have 36 years of government service at the Clement J. Zablocki Veterans Administration Medical Center (“Zablocki VAMC”) in Milwaukee, Wisconsin.

3. I am the Local President of the American Federation of Government Employees, AFL-CIO (“AFGE”), Local 0003 (“AFGE Local 0003”). I have served as Local President since September 2023. I previously served as Executive Vice President for approximately 4 years, Vice President for approximately 6 years, and Secretary for approximately 2 years.

4. The VA Milwaukee Healthcare System is comprised of multiple inpatient and outpatient facilities, including the main hospital at the Zablocki VAMC, two “vet centers” which perform readjustment counseling services, and six health care clinics.

5. AFGE Local 0003 represents bargaining unit employees at the Zablocki VAMC as well as VA facilities including Milo C. Huempfer VA Outpatient Clinic, Cleveland VA Clinic, Union Grove VA Clinic, and the John H. Bradley VA Outpatient Clinic.

6. AFGE Local 0003 represents approximately 3,000 bargaining unit employees in dozens of occupations, including both professional and nonprofessional employees. Bargaining unit positions at the Zablocki VAMC represented by AFGE Local 0003 include, but are not limited to, certified nursing assistants, licensed practical nurses, medical support assistants, program support assistants, social workers, psychologists, occupational therapists, dieticians, health technicians, medical instrument technicians, medical records technicians, transportation clerks, pharmacists, and pharmacy technicians.

7. AFGE Local 0003 also represents physicians, physician assistants, nurse practitioners, registered nurses, and other health care professionals at the Milo C. Huempfer VA Outpatient Clinic, Cleveland VA Clinic, Union Grove VA Clinic, and the John H. Bradley VA Outpatient Clinic.

1           8.       The Wisconsin Federation of Nurses and Health Professionals (“WFNHP”),  
2 American Federation of Teachers, AFL-CIO, Local 5000 (“WFNHP Local 5000”) represents  
3 approximately 1,000 registered nurses at the Zablocki VAMC.

4           9.       Zablocki VAMC employees fall under the same organizational structure and report  
5 to the same executive leadership team, consisting of an executive director, chief of staff, and other  
6 senior executives, regardless of whether they are represented by WFNHP Local 5000 or AFGE  
7 Local 0003.

8           10.      Zablocki VAMC employees are subject to the same training requirements, security  
9 protocol, and building access restrictions. All-employee events, such as “town halls,” are often  
10 convened to discuss changes in operations, leadership, and other working conditions. All  
11 employees are invited and expected to attend these events, if able, regardless of whether they are  
12 represented by WFNHP Local 5000 or AFGE Local 0003.

13          11.      The effective delivery of care at the Zablocki VAMC depends on mutual respect  
14 and coordinated workflow across all roles and departments. Each position contributes to the care  
15 and well-being of veterans, and teamwork is essential to ensure safe and efficient operations.

16          12.      The Zablocki VAMC is an integrated health care system that relies heavily on  
17 multi-disciplinary, cross-functional teams that provide direct and indirect care to veterans and their  
18 families and caregivers. This requires constant, ongoing communication and coordination within  
19 and between departments and service lines. Many of the employees represented by WFNHP Local  
20 5000 work alongside employees represented by AFGE Local 0003 in the same team, department,  
21 or service line, where they report to the same supervisors and collaborate to provide care and  
22 services to veterans.

23          13.      Providing high quality care and ensuring effective hospital administration requires  
24 employees to work together, hand in hand, to achieve our shared goal of delivering the best  
25 possible care and services that VA can offer. This means working as a team and staying in constant  
26 communication with one another in a fast-paced, rapidly evolving clinical environment.

27          14.      In the Emergency Department (ED), patients are first triaged by registered nurses  
28 represented by WFNHP Local 5000 when they first arrive. In coordination with physicians,

1 assignments are then delegated by registered nurses to medical support assistants represented by  
2 AFGE Local 0003 to schedule chest x-rays, electrocardiograms, and other testing. The actual  
3 testing is then conducted by radiology technicians and health technicians represented by AFGE  
4 Local 0003. Test results are then shared and discussed among the entire care team. This is just one  
5 example of the many instances of cross-unit collaboration that occur daily at Zablocki VAMC.

6 15. In the Zablocki VAMC's Community Living Center (CLC), which is a VA nursing  
7 home specializing in geriatric and extended care, veterans reside full-time at the VA. Registered  
8 nurses represented by WFNHP Local 5000 perform routine checks for bedsores, skin irritation,  
9 pain management, and other needs. Assignments, such as changing linens and clothing, or cleaning  
10 veterans, are often delegated to certified nursing assistants and health technicians represented by  
11 AFGE Local 0003. Occupational therapists and recreation therapists represented by AFGE Local  
12 0003 also assist veterans with their daily routines and wellness needs, which are overseen by  
13 registered nurses.

14 16. In the Hematology/Oncology Department, physicians enter medical orders tailored  
15 to the needs of each patient. For example, radiation and chemotherapy are scheduled by medical  
16 support assistants or program support assistants represented by AFGE Local 0003. Certified  
17 nursing assistants represented by AFGE Local 0003 prepare veterans for procedures and treatment,  
18 which are then administered and overseen by registered nurses represented by WFNHP Local  
19 5000.

20 17. In the Eye Clinic, veterans often report for visual testing, diagnosis, or adjustment  
21 of equipment, such as eyeglasses. Registered nurses represented by WFNHP Local 5000 conduct  
22 certain tests ordered by physicians, but the certified nursing assistants and health technicians  
23 represented by AFGE Local 0003 must first ensure that patient rooms are cleaned and stocked with  
24 necessary equipment and instruments. Testing is often conducted in the presence of both registered  
25 nurses represented by WFNHP Local 5000 and certified nursing assistants or health technicians  
26 represented by AFGE Local 0003.

27 18. In the Orthopedic Department, veterans are first escorted to an area where certified  
28 nursing assistants represented by AFGE Local 0003 take routine measurements and vital signs,

1 such as height, weight, blood pressure, and temperature. They also briefly interview patients to  
2 ensure accuracy of current medication lists and the general purpose of the visit so that the veteran's  
3 care can be smoothly transitioned to registered nurses represented by WFNHP Local 5000 and  
4 physicians. This ensures continuity of care during the veteran's appointment. Following the  
5 appointment and depending on the orders submitted by the treating physician, the veteran is then  
6 escorted to the front office where medical support assistants represented by AFGE Local 0003  
7 schedule follow-up visits, testing, or additional procedures. For example, a physician often orders  
8 additional x-rays to rule out fractures. Medical support assistants must coordinate and schedule  
9 these procedures to be performed by radiology technicians represented by AFGE Local 0003.  
10 Employees in the Orthopedic Department fall under the same supervisory structure and work  
11 alongside one another to accomplish department objectives.

12 19. I am aware that Executive Order 14251, dated March 27, 2025 and titled  
13 "Exclusions from Federal Labor-Management Relations Programs" (Exclusion Order), sought to  
14 exclude employees of the U.S. Department of Veterans Affairs from coverage under the Federal  
15 Service Labor-Management Relations Statute, 5 U.S.C. Chapter 71.

16 20. It is my understanding that in a notice published in the Federal Register, dated April  
17 17, 2025, and titled "Order Suspending the Application of Section 1-402 or 1-404 of Executive  
18 Order 12171," Secretary Doug Collins suspended the application of the Exclusion Order to  
19 registered nurses represented by WFNHP Local 5000 of the Zablocki VAMC.

20 21. However, registered nurses represented by AFGE Local 0003 at surrounding VA  
21 clinics that are part of the VA Milwaukee Healthcare System, including Milo C. Huempfer VA  
22 Outpatient Clinic, Cleveland VA Clinic, Union Grove VA Clinic, and the John H. Bradley VA  
23 Outpatient Clinic, remain covered by the Exclusion Order.

24 22. AFGE bargaining unit employees of the Zablocki VAMC and surrounding VA  
25 clinics remain covered by the Exclusion Order.

26 23. As a result, payroll deduction for voluntary union dues have stopped for AFGE  
27 members of the Zablocki VAMC and surrounding VA clinics. However, payroll deduction for  
28 voluntary union dues continues for members of WFNHP Local 5000.

1  
2 I declare under penalty of perjury under the laws of the United States that the foregoing is  
3 true and correct. Executed this 6th day of May 2025, in Minneapolis, MN.

4  
5 A handwritten signature in black ink, appearing to read "Michele Malone", is written over a horizontal line.

6 Michele Malone  
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